IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA CHARLOTTESVILLE DIVISION

FEB 2 2 2011
JULIA C DUDLEY, CLERK BY: DEPUTY CLERK
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DONNA M. BODE,) CASE NO. 3:11CV00003
Plaintiff, v.)) REPORT AND RECOMMENDATION
MICHAEL J. ASTRUE, Commissioner of Social Security,))) D. D. W. al-Criston
Defendant.) By: B. Waugh Crigler) U. S. Magistrate Judge

Upon motion of the defendant and with the consent of the plaintiff, it is hereby

RECOMMENDED

that the case be remanded to the Commissioner under Sentence 4 of 42 U.S.C.§405(g).

The Clerk is directed immediately to transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within fourteen (14) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C.§ 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection.

The Clerk of the Court hereby is directed to transmit a certified copy of this Report and

Recommendation to all counsel of record.

ENTERED:

United States Magistrate Judge

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